

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)

MELVIN NEWSOME, ET AL.

Plaintiffs,

v.

UP-TO-DATE LAUNDRY, INC.,

Defendant.

Civil Action No. S01-2257

CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

OCT 15 2001

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**SCHEDULING ORDER**

**I. DISCOVERY**

This case is, by this Order, exempted from the disclosure provisions of Fed. R. Civ. P. 26(a) (1-4) and from the formal conferencing provisions of Fed. R. Civ. P. 26(d) (1<sup>st</sup> sentence) and (f).

Discovery pursuant to Fed. R. Civ. P. 26(b) shall begin immediately.

Depositions and all other discovery shall be completed by May 10, 2002. Note: Running from the date this order is issued: Plaintiff(s) must name expert witnesses by January 10, 2002. Deposition of these experts must be completed by March 10, 2002. Defendant(s) must name experts by March 10, 2002. Deposition of defense experts must be completed by the close of discovery.

Motions to compel are not initially filed with the Court but are served under Local Rule 104. The Court will not consider or resolve any discovery disputes other than those properly before it in accordance with Local Rule 104.

If problems develop with references to discovery as to some issues in the case, discovery on other issues should nevertheless proceed on schedule. The filing of a motion to compel or a motion for a protective order will not result in a general extension of the discovery schedule.

**II. THIRD-PARTY CLAIMS**

Any third party claims, counterclaims and cross-claims shall be filed by November 19, 2001.



### **III. STATUS REPORT**

The parties shall file in chambers by May 10, 2002, a status report covering the following matters:

1. Whether or not discovery has been completed;
2. Whether or not any motions are pending;
3. Whether or not any party intends to file motions;
4. Whether the case is to be tried jury or non-jury and the anticipated length of trial;
5. A certification that the parties have met to conduct serious settlement negotiations and have discussed consensual reference of this case to a United States Magistrate Judge pursuant to 28 U.S.C. §636(c); and the date, time and place of the meeting and the names of all persons participating therein;
6. Any other matter which any party believe should be brought to the Court's attention.

### **IV. MOTIONS**

All motions shall be filed on or before June 10, 2002. After motions and responses thereto have been filed, the Court will advise the parties if a hearing is to be scheduled. Any party who opposes a summary judgment motion must submit, with such opposition, a concise list of the material facts he or she contends are in genuine dispute, with a specific reference for each such fact to that part of the materials submitted by such party under Fed. R. Civ. P 56(e) generating a genuine dispute as to that fact.

**MOTIONS IN LIMINE ARE NOT SUBJECT TO THE DEADLINE IN THE PRECEDING PARAGRAPH, BUT MUST BE FILED NOT LATER THAN SIX WEEKS PRIOR TO THE SCHEDULED COMMENCEMENT DATE OF THE TRIAL.**

### **V. PRETRIAL CONFERENCE**

*after ruling on dispositive motions, ~ 10/15/2001*  
The Court will set a ~~pretrial conference at~~ on and a trial date will be set at the time of the Pretrial Conference. Counsel will be held to strict compliance with Local Rule 106, as to submission and contents of the pretrial order. Request voir dire, requested jury instructions, and trial briefs (in non-jury cases) are due from all parties at the pretrial conference. **The Court would appreciate receiving the requested voir dire and jury instructions on IBM, Word Perfect 8.0 diskettes, where available.**

### **VI. CHANGES IN SCHEDULE**

No changes in the schedules set forth herein will be permitted, unless authorized by the Court for good cause shown. Any such requests, either stipulated or ex parte, must be by motion and filed with the Clerk. No letters directed to Chambers will be effective

to change this schedule, except for an initial letter request made not more than 10 days from the date hereof.



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Frederic N. Smalkin  
United States District Judge

Dated: October 15, 2001